

<http://www.crin.org/espanol/RM/mercosur.asp>.

<sup>2779</sup> ILO-IPEC, *Prevention and Elimination of Child Domestic Labour (CDL) and of Commercial Sexual Exploitation of Children (CSEC) in Chile, Colombia, Paraguay and Peru*, Project Document, Geneva, September 30, 2004.

<sup>2780</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

<sup>2781</sup> U.S. Embassy- Asunción, *reporting*, August 25,, 2005.

<sup>2782</sup> ILO-IPEC, *Prevention and Elimination of Child Domestic Labour (CDL) and of Commercial Sexual Exploitation of Children (CSEC) in Colombia, Chile, Paraguay, and Peru*, Technical Progress Report, Geneva, September 30, 2007. See also U.S. Department of State, "Country Reports- 2007: Paraguay," section 5. See also U.S. Embassy- Asuncion, *reporting*, April 26, 2006.

<sup>2783</sup> U.S. Department of State, "Country Reports- 2007: Paraguay," section 5.

<sup>2784</sup> U.S. Department of State, "Paraguay (Tier 2)," in

*Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>. See also Mike Kaye, *Contemporary Forms of Slavery in Paraguay*, 14.

<sup>2785</sup> U.S. Department of State, *U.S. Government Funds Obligated for Anti-Trafficking in Persons Projects, Fiscal Year 2007*, [online] February 2008 [cited March 10, 2008]; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

<sup>2786</sup> U.S. Embassy- Asunción, *reporting*, December 14, 2007.

<sup>2787</sup> U.S. Department of State, "Paraguay (Tier 2)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 13, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/>.

## Peru

### Incidence and Nature of Child Labor

Many children in rural areas of Peru work on family farms, in mining, or as domestic servants. In urban areas, many children work as street vendors, begging, shining shoes, or scavenging in garbage dumps.<sup>2788</sup> Children are also found working in the brick making industry in Lima and outlying areas.<sup>2789</sup>

According to a recent ILO study, girls in the stone crushing industry are frequently sexually exploited.<sup>2790</sup> Children in domestic service are also vulnerable to sexual abuse.<sup>2791</sup> Some Peruvian children, especially girls, are trafficked from rural to urban areas or from city to city to work in domestic service and for sexual exploitation.<sup>2792</sup> Children are trafficked internally for the purpose of forced labor in the mining, logging, and brick making sectors. Most victims of trafficking are girls from the poorest areas of Peru, including the Amazonian jungle and mountains.<sup>2793</sup> According to USDOS, narcotics traffickers and Shining Path terrorists force children to work in remote areas,

cultivating coca and food crops. Child sex tourism is prevalent in the tourist cities of Cusco and Iquitos.<sup>2794</sup> In 2006, the UN Committee on the Rights of the Child reported that there are 500,000 child victims of sexual exploitation and violence in the country.<sup>2795</sup>

### Child Labor Laws and Enforcement

Although the general minimum age for employment in Peru is 14 years, the following provisions place restrictions on ability of children 14 years and above to work legally. The minimum age for employment in non-industrial agricultural work is 15 years; for work in the industrial, commercial, and surface mining sectors it is 16 years; and for work in the industrial fishing sector it is 17 years.<sup>2796</sup> Children under 18 years may perform certain jobs, subject to restrictions, only if they obtain legal permission from the corresponding government authorities, can certify that the minor is physically and emotionally capable of performing the job, and if it does not limit their ability to attend school or training.<sup>2797</sup>

***Selected Statistics and Indicators  
on Child Labor<sup>2798</sup>***

Working children, 6-14 years (%), 2000:	22.3
Working boys, 6-14 years (%), 2000:	24
Working girls, 6-14 years (%), 2000:	20.5
Working children by sector, 6-14 years (%), 2000:	
- Agriculture	73.2
- Manufacturing	2.7
- Services	23.9
- Other	0.2
Minimum age for work:	14
Compulsory education age:	16
Free public education:	Yes*
Gross primary enrollment rate (%), 2005:	116
Net primary enrollment rate (%), 2005:	96
School attendance, children 5-14 years (%), 2000:	96.6
Survival rate to grade 5 (%), 2004:	90
ILO-IPEC participating country:	Yes
*Must pay for miscellaneous school expenses.	

All children must register their work with the authorities; the Ministry of Labor's Office of Labor Protection for Minors issues permits for children between 12 and 17 years to work legally. During 2007, there were 703 permits granted for children 12 to 17 years, most of which were issued for children between 16 and 17 years.<sup>2799</sup> Children 12 to 14 years are prohibited from working more than 4 hours a day, or more than 24 hours a week; adolescents 15 to 17 years may not work more than 6 hours a day, or more than 36 hours a week. Children working non-paid jobs for family members or in domestic service are entitled to a 12-hour rest period and must attend school.<sup>2800</sup> Regulations require that adolescents working in paid or unpaid domestic service must have access to education. Night work is prohibited for children under 18 years, but a special permit can be issued for adolescents between 15 to 17 years for a maximum of 4 hours of work a night.<sup>2801</sup> Underground work or work that involves heavy lifting, toxic substances, or responsibility for the safety of themselves and other workers is prohibited for children under 18 years.<sup>2802</sup> The

Government has established a list of dangerous work for children, which includes work underground; using machinery or electrical equipment; work with toxic chemicals; in brick production; at sea; selling alcohol; in sexually exploitive situations; with garbage; with animal remains; or lifting heavy weights.<sup>2803</sup>

Peruvian law prohibits forced and slave labor.<sup>2804</sup> The law prohibits promoting child prostitution, with a penalty of 5 to 12 years in prison if the victim is under 18 years of age.<sup>2805</sup> Peru's Penal Code also prohibits delivering a child to a third party for the purpose of prostitution; the penalty for this offense is 6 to 12 years. The penalty for profiting economically from the prostitution of a minor between the ages of 14 to 18 years is 6 to 10 years in prison, and increases to 8 to 12 years in prison if the victim is under 14 years of age.<sup>2806</sup> Statutes prohibit trafficking in persons and provide penalties of 12 to 20 years of imprisonment for those who move a person between 14 and 18 years, either within the country or to an area outside the country, for sexual exploitation or forced labor. The penalty increases to at least 25 years in prison if the victim is under 14 years.<sup>2807</sup> A new law gives the Administrative Authority of Work the authority to levy fines against employers who are guilty of trafficking minors.<sup>2808</sup> The penalty for promoting sexual tourism that exploits adolescents ages 14 to 18 years is 2 to 6 years in prison. The penalty is 6 to 8 years if the victim is under 14 years, and in cases of involvement by a public official or a child's guardian, the penalty is 8 to 10 years in prison.<sup>2809</sup> The penalty for possessing, promoting, producing, or selling child pornography is 4 to 6 years imprisonment and fines. If the victim is under 14 years, the penalty increases to 6 to 8 years in prison.<sup>2810</sup> Military service is voluntary and prohibited for children under 18 years.<sup>2811</sup>

The Ministry of Labor's Office of Labor Protection for Minors and the Public Ministry have authority to investigate reports of illegal child labor practices by conducting onsite inspections of worksites. During 2007, the Office of the Ombudsman for Children and Adolescents worked in conjunction with the Ministry of Labor to document violations of child labor laws, and operated a decentralized child labor reporting and tracking system.<sup>2812</sup>

The Peruvian National Police is responsible for preventing, investigating, and fighting trafficking in persons and child sexual exploitation.<sup>2813</sup> The Government has a database to track trafficking trends. Over 100 trafficking cases were filed in 2007, and 51 trafficked minors were reported.<sup>2814</sup>

### **Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor**

Through the National Committee to Prevent and Eradicate Child Labor, the Government of Peru works with NGOs, labor unions, and employer organizations within the country to implement the National Plan for the Prevention and Eradication of Child Labor. The Plan, established in accordance with the National Plan of Action for Children (2002-2010), focuses on three strategic goals: preventing and eradicating child labor under 14 years, preventing and eradicating the worst forms of child labor among children under 18 years of age, such as child trafficking and commercial sexual exploitation of children, and protecting the wellbeing of adolescent workers between the ages of 14 and 18 years.<sup>2815</sup>

The Ministry of Women and Social Development (MIMDES) implemented a program in 2007 that provides children and adolescents who work and live in the street with educational services.<sup>2816</sup> The Ministry of the Interior has implemented a program called *Colibrí* which integrates children who work as vendors in the street or in markets into educational programs.<sup>2817</sup>

MIMDES has a National Plan against Commercial Sexual Exploitation of Boys, Girls and Adolescents (2006-2010). The Plan has four strategic components: create and strengthen institutions; increase awareness about commercial sexual exploitation of children; establish a system to monitor and penalize perpetrators; and develop a system to support victims.<sup>2818</sup>

The Government of Peru participated in an ILO-IPEC USD 5.5 million USDOL-funded regional project to eliminate exploitive child labor in domestic service and the commercial sex sectors in four countries including Peru.<sup>2819</sup> The project closed in 2007, withdrawing 2,036 children from exploitive work and preventing 3,582 children from entering such activities.<sup>2820</sup> The Government of Peru

continued to participate in a USD 5 million USDOL-funded project to combat child labor through education. This project targets 5,250 children for withdrawal and 5,250 children for prevention from exploitive work in the urban informal sector in the poorest districts of Lima, Callao, Trujillo, and Iquitos.<sup>2821</sup> During the reporting period, the Government of Peru participated in an ILO-IPEC Phase II USD 2.6 million regional project and a Phase III USD 3 million regional project to eradicate child labor in Latin America, funded by the Government of Spain.<sup>2822</sup> The Government also collaborated with the Organization of American States in a USD 300,000 project funded by USDOS to prevent trafficking in persons by building capacity and international cooperation across the foreign ministries of the nine participating governments.<sup>2823</sup>

The Government of Peru lacks resources to assist trafficking victims, but focuses efforts on detection, prosecution, and prevention. The Government supported an NGO in a radio campaign on trafficking and cooperated with another NGO in raising awareness about trafficking among local government officials, student groups, and school leaders. MIMDES worked with the Belgian Government to combat trafficking in four regions of Peru.<sup>2824</sup> The Ministry of Interior operates a toll-free number to report trafficking crimes, which received an average of 1,000 calls per month, 15 percent of which were related to trafficking crimes.<sup>2825</sup> The Ministry of Foreign Affairs conducted an information campaign on trafficking both domestically and internationally. The Ministry of Tourism began a campaign for hotels to sign a code of conduct to prevent child sex tourism.<sup>2826</sup>

The Government of Peru and other associate and member governments of MERCOSUR conducted the *Niño Sur* ("Southern Child") initiative to defend the rights of children and adolescents in the region. The initiative includes unified public campaigns against commercial sexual exploitation, trafficking, and child labor; mutual technical assistance in adjusting legal frameworks to international standards on those issues; and the exchange of best practices related to victim protection and assistance.<sup>2827</sup>

<sup>2788</sup> U.S. Department of State, "Peru," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/index.htm>. See also International Youth Foundation, *Prepárate para la Vida*, Project Document, Washington, DC, March 28, 2007, 7.

<sup>2789</sup> U.S. Department of State, "Country Reports- 2007: Peru," section 6d. See also UN Committee on the Rights of the Child, *Periodic Reports of States Parties due in 2006: Peru*, prepared by Government of Peru, pursuant to Article 44 of the Convention on the Rights of the Child, March 2006, para 62; available from <http://daccessdds.un.org/doc/UNDOC/GEN/G06/408/87/PDF/G0640887.pdf?OpenElement>.

<sup>2790</sup> ILO-IPEC, *Girls in Mining, research findings from Ghana, Niger, Peru and United Republic of Tanzania*, Geneva, 2007, 5-6; available from <http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=5304>.

<sup>2791</sup> ILO-IPEC, *Invertir en la Familia, Estudio sobre factores preventivos y de vulnerabilidad al trabajo infantil doméstico en familias rurales y urbanas: el caso de Perú*, Lima, 2007; available from [http://white.oit.org.pe/ipiec/documentos/invertir\\_familia\\_tid\\_pe.pdf](http://white.oit.org.pe/ipiec/documentos/invertir_familia_tid_pe.pdf).

<sup>2792</sup> U.S. Embassy- Lima, *reporting*, March 5, 2008, para 2a. <sup>2793</sup> Ibid.

<sup>2794</sup> U.S. Department of State, "Peru (Tier 2 Watch List)," in *Trafficking in Persons Report- 2007*, Washington, DC, June 12, 2007; available from <http://www.state.gov/g/tip/rls/tiprpt/2007/82806.htm>. See also U.S. Department of State, "Country Reports- 2007: Peru," section 6d.

<sup>2795</sup> UN Committee on the Rights of the Child, *Periodic Reports of States Parties due in 2006: Peru*.

<sup>2796</sup> Government of Peru, *Ley que Modifica el Artículo 51 de la Ley No. 27337*.

<sup>2797</sup> Government of Peru, *Ley que Aprueba el Nuevo Código de los Niños y Adolescentes*, 27337, (August 2, 2000), article 54; available from <http://www.acnur.org/biblioteca/pdf/01163.pdf>.

<sup>2798</sup> For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Peru, *Ley que Modifica el Artículo 51 de la Ley No. 27337, Código de los Niños y Adolescentes*, (2001); available from <http://www.cajpe.org.pe/rij/bases/legisla/peru/27571.htm>. See also Government of Peru, *Ley General de Educación*, (July 17, 2003), article 4, 12; available from [http://www.minedu.gob.pe/normatividad/leyes/ley\\_general\\_de\\_educacion2003.doc](http://www.minedu.gob.pe/normatividad/leyes/ley_general_de_educacion2003.doc). See also UNESCO,

*Education for All 2008 Assessment: Country Reports-Peru*, 2007; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>. See also UNESCO, *Education for All 2006 Assessment: Country Reports-Peru*, 2005; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>.

<sup>2799</sup> Ibid., article 53. See also U.S. Department of State, "Country Reports- 2007: Peru," section 6d.

<sup>2800</sup> Government of Peru, *Ley que Aprueba el Nuevo Código de los Niños y Adolescentes*, articles 56, 63.

<sup>2801</sup> Ibid., articles 61, 57.

<sup>2802</sup> Ibid., article 58.

<sup>2803</sup> Government of Peru, *Aprueban la "Relación de Trabajos y Actividades Peligrosas o Nocivas para la Salud Física o Moral de las y los Adolescentes"*, (July 25, 2006); available from [http://white.oit.org.pe/ipiec/documentos/decreto\\_tip\\_pe.pdf](http://white.oit.org.pe/ipiec/documentos/decreto_tip_pe.pdf).

<sup>2804</sup> Government of Peru, *Constitución Política del Perú 1993 con las reformas de 1995, 2000, 2002, 2004 y 2005 (hasta octubre)*, (1993), article 24(b); available from <http://pdpa.georgetown.edu/Constitutions/Peru/per93reforms05.html>. See also Government of Peru, *Ley que Aprueba el Nuevo Código de los Niños y Adolescentes*, article 4.

<sup>2805</sup> Government of Peru, *Modificación del Código Penal* 28251, (February 14, 1994), article 179; available from [http://www.oit.org.pe/ipiec/documentos/ley\\_28251\\_es\\_ci\\_pe.pdf](http://www.oit.org.pe/ipiec/documentos/ley_28251_es_ci_pe.pdf).

<sup>2806</sup> Ibid., articles 180, 181.

<sup>2807</sup> Government of Peru, *Ley contra la Trata de Personas y el Tráfico Ilícito de Migrantes*, (2007), articles 153, 153-A; available from [http://white.oit.org.pe/ipiec/documentos/ley\\_trata\\_peru\\_06.pdf](http://white.oit.org.pe/ipiec/documentos/ley_trata_peru_06.pdf). See also U.S. Embassy- Lima, *reporting*, December 13, 2007, para 4.

<sup>2808</sup> Embassy of Peru official, Fax communication to USDOL official, December 6, 2007, para 16.

<sup>2809</sup> Government of Peru, *Código Penal*, article 181-A.

<sup>2810</sup> Ibid., article 183-A.

<sup>2811</sup> Government of Peru, *Ley del Servicio Militar*, (September 28, 1999); available from <http://www.resdal.org/Archivo/d0000281.htm>. See also Coalition to Stop the Use of Child Soldiers, "Peru," in *Child Soldiers Global Report 2004*, London, 2004; available from [http://www.child-soldiers.org/document\\_get.php?id=836](http://www.child-soldiers.org/document_get.php?id=836).

<sup>2812</sup> U.S. Department of State, "Country Reports- 2007: Peru."

<sup>2813</sup> ILO-IPEC, *Situación de la Aplicación de la Ley No 28251, para el Combate a la Explotación Sexual Comercial de Niños, Niñas y Adolescentes*, Lima, 2006, 9-13; available from [http://white.oit.org.pe/ipiec/documentos/estudio\\_situ](http://white.oit.org.pe/ipiec/documentos/estudio_situ)

acion\_ley\_28251.pdf.

<sup>2814</sup> U.S. Embassy- Lima, reporting, March 5, 2008, paras 1, 2a.

<sup>2815</sup> Government of Peru, *Plan Nacional de Prevención y Erradicación del Trabajo Infantil*, 2005, 58, 63, 66; available from [http://www.mimdes.gob.pe/dgnna/dna/cpeti/Plan\\_CPETI.pdf](http://www.mimdes.gob.pe/dgnna/dna/cpeti/Plan_CPETI.pdf). See also Embassy of Peru official, Fax communication, December 6, 2007, para 7.

<sup>2816</sup> U.S. Department of State, "Country Reports- 2007: Peru."

<sup>2817</sup> Government of Peru, *Aprueban Plan Nacional de Prevención y Erradicación del Trabajo Infantil*, 008-2005-TR, (September 30, 2005), 45-46; available from [http://www.mimdes.gob.pe/dgnna/dna/cpeti/Plan\\_CPETI.pdf](http://www.mimdes.gob.pe/dgnna/dna/cpeti/Plan_CPETI.pdf).

<sup>2818</sup> Government of Peru, *Plan Nacional contra la Explotación Sexual Comercial de Niños, Niñas y Adolescentes*, 2006; available from [http://www.mimdes.gob.pe/dgnna/escnna/presentacion\\_plan.pdf](http://www.mimdes.gob.pe/dgnna/escnna/presentacion_plan.pdf).

<sup>2819</sup> ILO-IPEC and Roberto Cespedes, *Infancia y adolescencia trabajadora de Paraguay*, 2006; available from [http://white.oit.org.pe/ippec/documentos/estadisticas\\_py\\_07.pdf](http://white.oit.org.pe/ippec/documentos/estadisticas_py_07.pdf).

<sup>2820</sup> ILO-IPEC, *Prevention and Elimination of Child Domestic Labor (CDL) and of Commercial Sexual Exploitation of Children (CSEC) in Chile, Colombia, Paraguay and Peru*, Technical Progress Report, September 30, 2007, 34-35, 54-55.

<sup>2821</sup> International Youth Foundation, *Prepárate para la Vida, Project Document*.

<sup>2822</sup> ILO-IPEC official, E-mail communication to USDOL official, February 4, 2008.

<sup>2823</sup> U.S. Department of State, *U.S. Government Funds Obligated for Anti-Trafficking in Persons Projects, Fiscal Year 2007*, [online] February 2008 [cited March 10, 2008]; available from <http://www.state.gov/g/tip/rls/rpt/101295.htm>.

<sup>2824</sup> U.S. Embassy- Lima, reporting, March 5, 2008, para 4k. See also Ministry of Women and Social Development, *MIMDES y Gobierno Belga ejecutarán proyecto para prevenir la violencia, el abuso y la explotación sexual comercial infantil*, [online] May 15, 2006 [cited March 8, 2008]; available from

[http://www.mimdes.gob.pe/noticias/2006/not15may\\_1.htm](http://www.mimdes.gob.pe/noticias/2006/not15may_1.htm).

<sup>2825</sup> U.S. Department of State, "Country Reports- 2007: Peru," section 5.

<sup>2826</sup> Ibid.

<sup>2827</sup> Ministry of Justice and Human Rights of Argentina, *Iniciativa Niñ@ Sur*, [online] [cited March 16, 2008]; available from <http://www.derhuman.jus.gov.ar/direcciones/asistencia/ninosur.htm>. See also Child Rights Information Network, *MERCOSUR*, [online] 2007 [cited December 26, 2007]; available from <http://www.crin.org/espanol/RM/mercosur.asp>.

## Philippines

### Incidence and Nature of Child Labor

Children work on sugarcane,<sup>2828</sup> tobacco,<sup>2829</sup> banana, coconut, corn flower, and rice plantations. They also engage in scavenging in garbage dumps,<sup>2830</sup> pyrotechnics production, deep-sea fishing, mining, and quarrying.<sup>2831</sup> Children living on the streets often engage in informal labor activities such as begging and scavenging.<sup>2832</sup> Children, primarily girls, are engaged in domestic service.<sup>2833</sup> Children are also involved in the commercial sex industry. They are engaged in prostitution, used in the production of pornography, and exploited by sex tourists.<sup>2834</sup> Children living on the streets in urban

centers are particularly vulnerable to prostitution and pornography.<sup>2835</sup> Children are also involved in the production and trafficking of drugs within the country.<sup>2836</sup>

Reportedly children are trafficked internally from rural areas to major cities, as well as abroad to work in factories, in prostitution, drug trafficking, domestic service, and other activities in the informal sector.<sup>2837</sup> There are no reports of child soldiers in the Government's Armed Forces, but children under 18 years are recruited into terrorist organizations, including the Abu Sayyaf Group and the New People's Army.<sup>2838</sup>